

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

UNITED STATES OF AMERICA,

\*

Plaintiff,

\*

Crim. No. 2:21-cr-20003-SHL

v.

\*

KATRINA ROBINSON,

\*

KATIE AYERS,

\*

BROOKE BOUDREAUX,

\*

Defendants.

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**MOTION TO DISMISS INDICTMENT WITHOUT PREJUDICE**

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COMES NOW the United States of America, by and through Joseph C. Murphy, Jr., Acting United States Attorney, and Christopher E. Cotten, Assistant United States Attorney for the Western District of Tennessee, and, pursuant to Fed. R. Crim. P. 48(a), respectfully moves that this Honorable Court dismiss the indictment in this case without prejudice. In support of this motion, the United States would show the following:

1. The defendants were indicted in this case on January 28, 2021. The two-count indictment charged them with conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349 and conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h).

2. Fed. R. Crim. P. 48(a) permits the government to dismiss the indictment with leave of court.

3. The United States has entered into pretrial diversion agreements with defendants Katrina Robinson and Katie Ayers (copies attached as Exhibits 1 and 2) and a deferred prosecution

agreement with defendant Brooke Boudreaux (copy attached as Exhibit 3), all of which provide for the deferral of prosecution for a period of 12 months. If the defendants successfully complete this period by abiding by all conditions of their agreements, no new prosecution will be brought. The government therefore moves to dismiss the indictment so that prosecution can be deferred during the deferral period.

3. If any of the defendants does violate their agreement, then under its terms, the prosecution may be re-initiated. Therefore, the government moves that the dismissal of the indictment be without prejudice.

### **CONCLUSION**

For the foregoing reasons, the United States respectfully requests that the indictment in this case be dismissed without prejudice.

Respectfully submitted,

JOSEPH C. MURPHY, JR.  
Acting United States Attorney

By: /s Christopher E. Cotten  
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No. 014277 (Tennessee)

**CERTIFICATE OF SERVICE**

I, Christopher E. Cotten, Assistant United States Attorney for the Western District of Tennessee, do hereby certify that a copy of the foregoing motion has been sent, either first-class postage pre-paid or via the Court's electronic filing system, to the attorneys for the defendants.

This 17<sup>th</sup> day of December, 2021.

/s Christopher E. Cotten  
CHRISTOPHER E. COTTEN  
Assistant United States Attorney